

## Low Carbon Transit Operations Program (LCTOP)

### PROJECT DESCRIPTION AND ALLOCATION REQUEST (SUMMARY)

#### Project Information:

Lead Agency:	City of Union City - Union City Transit
Project Name:	Solar Panels for Union Landing Transit Center
Project Type: <i>See Attachment A</i>	Bi: Install renewable energy at transit facilities
Description of Project (Short):	Install solar panels and energy storage units at the Union Landing Transit Center to remove its operational electricity demand from the grid and demonstrate a commitment to renewable energy.
Project Location:	Union City, CA
Project Start Date (anticipated):	11/1/2016
Project End Date (anticipated):	6/30/2042

#### Funding Information:

Funding Year:	Fiscal Year 2017
Requested Amount of PUC 99313:	\$71,301
Requested Amount of PUC 99314:	\$8,417
Total LCTOP Funding:	\$79,718
Total Project Cost:	\$100,000.00

#### Project Benefits:

##### Greenhouse Gas Benefits (off of worksheet)

Estimated GHG Reduction:	446.26
Project Life:	25
Estimated Total GHG Reduction:	11156.5

##### Disadvantaged Communities (DAC) Benefits:

Does your service area have a DAC?	No
Does the Project Benefit a DAC?	No
Identify the DAC Census Tracts?	N/A
Identify Specific DAC Benefit Criteria? <i>See Attachment B</i>	
Qualitative Description of DAC Benefit?	
Describe the DAC Need Project Addresses?	
Total GGRF \$ Allocated to DAC	

##### Co-benefit

Critical Air Pollution Reduction:	
VMT Reduction:	80,000 Annually
Ridership Increase	5,000 Annually
Fuel Ues Reduction:	
Energy Use Reduction:	Unsure

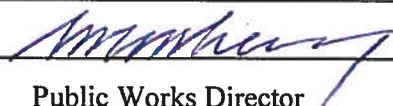
## Low Carbon Transit Operations Program (LCTOP)

### PROJECT DESCRIPTION AND ALLOCATION REQUEST (ALLOCATION)

Regional Entity: MTC	
Project Lead: City of Union City - Union City Transit	County: Alameda
Project Title: Solar Panels for Union Landing Transit Center	


#### Project Lead:

I certify the scope, cost, schedule, and benefits as identified in the attached Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process and/or auction receipts. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project lead shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation - Division of Rail and Mass Transportation.

Name:	Mintze Cheng	
Signature:		
Title:	Public Works Director	
Agency:	City of Union City - Union City Transit	
Date:	Feb 1, 2016	Amount: <del>\$79,718.00</del> \$8,417

#### Contributing Sponsor(s):

\*If this project includes funding from more than one project sponsor, the project lead above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of LCTOP funds (PUC Sections 99313 and 99314) contribution. Sign below or attach a separate officially signed letter providing that information. If there is more than one contributing sponsor, please submit additional page, or a letter from the additional contributors.

Name:	Alix Bockelman	
Signature:		
Title:	Deputy Executive Director, Policy	
Agency:	MTC	
Date:		Amount: \$71,301

## Low Carbon Transit Operations Program (LCTOP)

### PROJECT DESCRIPTION AND ALLOCATION REQUEST (FUNDING)

	<i>LCTOP Allocation</i>	<i>15/16</i>	<i>16/17</i>	<i>17/18</i>
Request Amount per PUC 99313:		\$71,301	\$0	\$0
Request Amount per PUC 99314:		\$8,417	\$0	\$0
Total Project Allocation Request:		\$79,718	\$0	\$0
Project Title:	Solar Panels for Union Landing Transit Center			
Project Location/Address:	32080 Union Landing Blvd, Union City, CA 94587			

### Table 1: Project Lead Information

		Legislative District Numbers	
Agency Name:	City of Union City - Union City Transi	Assembly:	
Contact Person:	Steve Adams	Senate:	
Contact Phone #:	510.675.5446	Congressional:	
Email Address:	<a href="mailto:sadams@unioncity.org">sadams@unioncity.org</a>	Amount:	PUC Funds Type:
Address:	34009 Alvarado-Niles Road	\$	<del>71,301.00</del> 99313
	Union City, CA 94587	\$	8,417.00 99314

### Table 2: Contributing Sponsor Information

Name:	MTC	Amount :	PUC Fund Type:
Contact:	Melanie Choy	\$	71,301 99313
Contact Phone #:	510-817-5607	\$	
Email Address:	<a href="mailto:mchoy@mtc.ca.gov">mchoy@mtc.ca.gov</a>		
Address:	101 8TH ST, OAKLAND CA 94607		

Other Contributing Sponsors: (Attach sheet with contact information)	Amount:	PUC Fund Type:
Name:	\$	
Name:	\$	
Name:	\$	

**TOTAL \$79,718**

(\*Contributing project sponsors provide signed letters of verification as to amount and eligibility or sign cover page)

## Low Carbon Transit Operations Program (LCTOP)

### PROJECT DESCRIPTION AND ALLOCATION REQUEST (PROJECT)

**Table 3: Type of Project**

See Attachment A for category of project (example: Category 1A Implement new or expanded transit service (for new routes or expansion of existing routes)).

Operations Projects		Capital Projects	
<input type="checkbox"/>	A1	<input type="checkbox"/>	Ai
<input type="checkbox"/>	A2	<input type="checkbox"/>	Aii
<input type="checkbox"/>	A3	<input type="checkbox"/>	Aiii
<input type="checkbox"/>	A4	<input type="checkbox"/>	Aiv
<input type="checkbox"/>	A5		
		<input type="checkbox"/>	B1
		<input type="checkbox"/>	B2
		<input type="checkbox"/>	B3
		<input type="checkbox"/>	B4
		<input type="checkbox"/>	1
			Bi
			Bii
			Bii

**Table 4: Project Summary**

**a) Project Description** - Describe the project in your own words, using comprehensive overall project description regarding improvements to be made, increased level of service and performance goals.

The City of Union City is currently (January 2016) evaluating all publicly owned facilities for energy upgrades and solar panel installation where appropriate. The Union Landing Transit Center is the second busiest location in the Union City Transit system and is also a transfer point to AC Transit routes heading to different parts of the region. As part of this project, the City of Union City hopes to make the transit center brighter and more inviting to current and potential riders without increasing the load on the electrical grid. The solar installation would need to be expandable to accommodate potential information displays in the future (not part of this project scope).

**b) Project Location** - Describe the location of the project. Also provide an 8 1/2" X 11" project site map that shows the transit service area and project location. Use link to CalEPA website for information,  
<http://www.calepa.ca.gov/EnvJustice/GHGInvest/default.htm>.

The project is located at 32080 Union Landing Blvd, Union City, CA 94587. The project location is in the Union Landing Shopping and Entertainment Complex, a major source of activity and sales tax revenue for the City of Union City.

**c) Project Life** - For capital projects, state the Useful Life of the Project. For operations project state the number of months service will operate.

Capital: 25 years

Operations:

## Low Carbon Transit Operations Program (LCTOP)

### PROJECT DESCRIPTION AND ALLOCATION REQUEST (BENEFITS/OUTCOMES)

**Table 5: Description of Major Benefits/Outcomes**

**a) Greenhouse Gas Reduction** - Describe how this project will reduce greenhouse gases and any assumptions or data that support this description. For example, "The expanded transit service will reduce VMT and greenhouse gas emissions by replacing auto trips with transit trips. Initial estimates indicate that the expansion could add 50 commuter bus riders per day to replace an average auto trip of 10 miles each way." If available, please provide the expected amount of VMT reductions and greenhouse gas reductions.

By adding the solar panels, it will demonstrate a commitment to renewable energy by the City of Union City, but it will also allow for a brighter transit center without increasing the energy demand on the electrical grid. Typically, transit customers are discouraged from riding after the sun sets because they do not feel safe; by adding lighting in addition to the solar panels, we hope to encourage more customers to use the service as an option as opposed to needing to use private transportation option. We cannot quantify this at the moment specifically for this location. We hope to reduce VMT by 80,000 in the two years, then expect it to increase with an estimated increase in ridership annually of 5,000 customers.

**b) Increased Mode Share** - Describe how this project will directly increase mode share.

We hope to reduce VMT by 80,000 in the two years, then expect it to increase with an estimated increase in ridership annually of 5,000 customers.

#### c) Disadvantaged Communities (DAC) Project Criteria

See Attachment B for DAC Criteria to Evaluate Projects (example: Category 1B Project provides transit incentives to residents with a physical address in a disadvantaged community (e.g., vouchers, reduced fares, transit passes).

##### Low Carbon Transportation Projects

<input type="checkbox"/>	1A	<input type="checkbox"/>	2A
<input type="checkbox"/>	1B	<input type="checkbox"/>	2B
<input type="checkbox"/>	1C	<input type="checkbox"/>	2C
<input type="checkbox"/>	1D		

##### Transit Projects

<input type="checkbox"/>	1A	<input type="checkbox"/>	1G	<input type="checkbox"/>	2E
<input type="checkbox"/>	1B	<input type="checkbox"/>	1H	<input type="checkbox"/>	2F
<input type="checkbox"/>	1C	<input type="checkbox"/>	2A	<input type="checkbox"/>	2G
<input type="checkbox"/>	1D	<input type="checkbox"/>	2B	<input type="checkbox"/>	2H
<input type="checkbox"/>	1E	<input type="checkbox"/>	2C	<input type="checkbox"/>	2I
<input type="checkbox"/>	1F	<input type="checkbox"/>	2D		

**d) Disadvantaged Communities (DAC) (if applicable\*)** - Describe how this project will directly benefit the DAC(s) within your service area in your own words. For agencies whose service area includes disadvantaged communities, at least 50 percent of the total moneys received shall be expended on projects that will benefit disadvantaged communities.

## Low Carbon Transit Operations Program (LCTOP)

### PROJECT DESCRIPTION AND ALLOCATION REQUEST (BENEFITS/OUTCOMES)

**Table 5: Description of Major Benefits/Outcomes**

**e) Co-Benefits** - Check all additional Benefits/Outcomes.

<input checked="" type="checkbox"/> Improved Safety	<input type="checkbox"/> Coordination with Educational Institutions
<input checked="" type="checkbox"/> Improved Public Health	<input type="checkbox"/> College/University <input type="checkbox"/> Grades K-12
<input checked="" type="checkbox"/> Reduced Operating/Maintenance Cost	<input type="checkbox"/> Promotes Active Transportation (walking, biking)
<input type="checkbox"/> Increase System Reliability	<input checked="" type="checkbox"/> Promotes integration with other modes of transportation
<input type="checkbox"/> Other Benefits (describe below)	

**f) Co-Benefits** - Describe benefits indicated above in d) and any other benefits not listed.

**Table 6: Project Schedule**

Capital Projects	
Begin Construction Phase (Contract Award)	7/1/2017
End Construction Phase (Contract Acceptance)	9/30/2017
Begin Vehicle/Equipment Order (Contract Award)	
End Vehicle/Equipment Order (Contract Acceptance)	
Begin Closeout Phase	10/1/2017
End Closeout Phase	12/31/2042

Operations Projects	
Begin expanded/enhanced transit services	
End expanded/enhanced transit services	
Begin Closeout Phase	
End Closeout Phase	

**START DATE FOR LCTOP FUNDED PHASES MAY NOT PROCEED PROJECT APPROVAL LETTER.**

*Pre-construction costs (e.g design, environmental and right-a-way) are not eligible to be funded by LCTOP funds, they must be funded by other sources.*

## **Low Carbon Transit Operations Program (LCTOP)**

### **PROJECT DESCRIPTION AND ALLOCATION REQUEST (OPERATIONS DESCRIPTION)**

#### **Table 7: Operations Project Description**

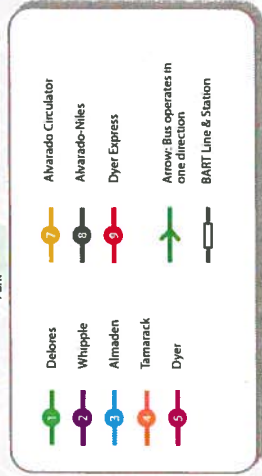
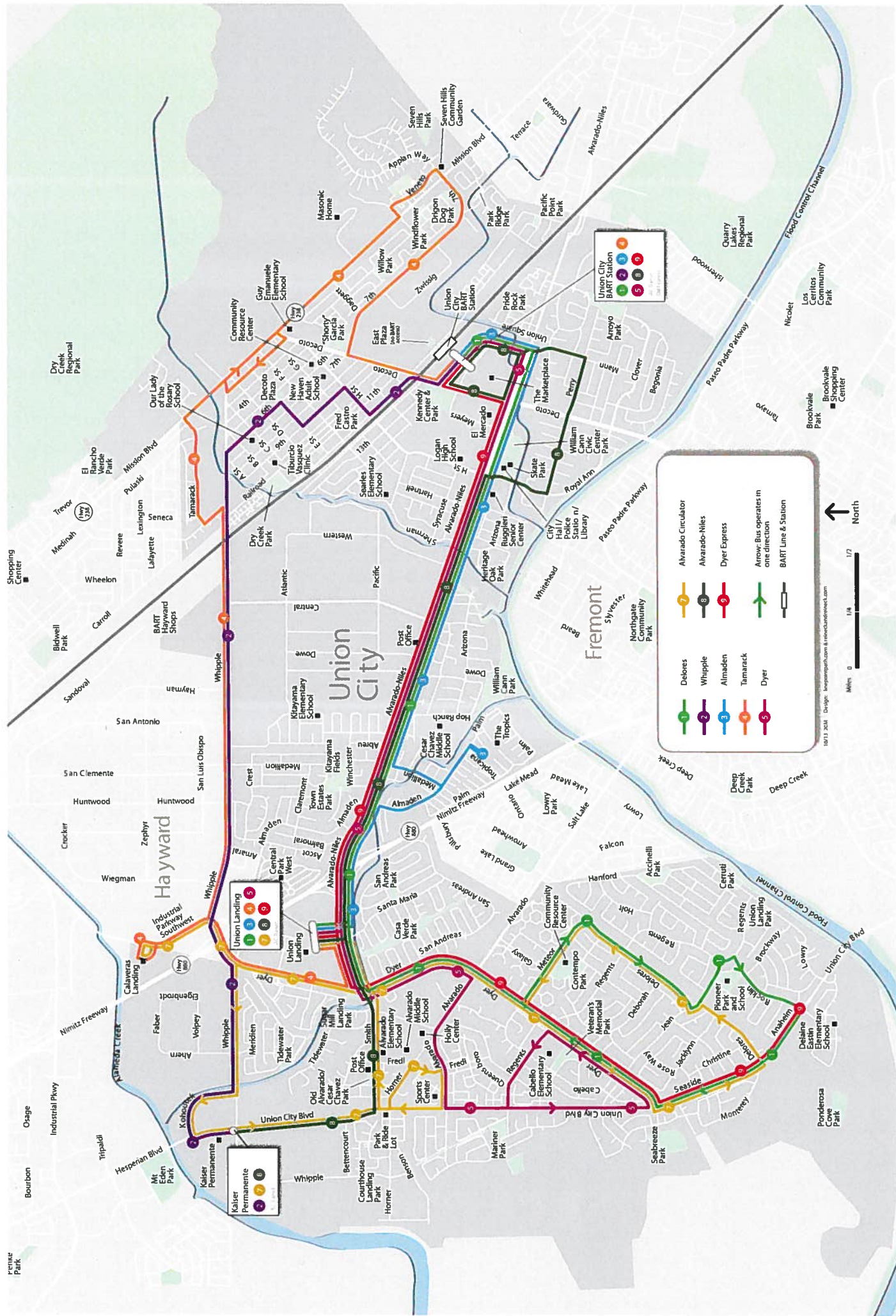
a) Describe the operating plan for this system.

b) Describe the fare structure for this system.

c) Describe the assumptions and process that were used to develop the ridership projections shown in the request.

d) Describe the assumptions and process for how the operating cost projections were developed.








## Low Carbon Transit Operations Program TOTAL PROJECT COST AND FUNDING PLAN

The following Funding Plan has been reviewed and approved by the undersigned. It includes a complete list of funds for this project and is the total cost of the project, including LCTOP funds.

Person preparing this form (please type or print) Steve Adams	Phone: 510.675.5446	Date: 02/01/2016
Approval Authority: Sign and date  2/1/2016	Typed name and phone number: Mintze Cheng, Public Works Director 510.675.5306	

Shaded fields are automatically calculated. Please do not fill these fields.

Proposed Total Project Cost								Project
Component	Prior	FY 17	FY	FY	FY	FY	FY	Total
PA&ED	0	0	0	0	0	0	0	0
PS&E	0	0	0	0	0	0	0	0
R/W	0	0	0	0	0	0	0	0
CON	0	100,000	0	0	0	0	0	100,000
Veh/Equip Purchase	0	0	0	0	0	0	0	0
Operations/Other	0	0	0	0	0	0	0	0
<b>TOTAL</b>	0	100,000	0	0	0	0	0	100,000

Low Carbon Transit Operations Program (LCTOP)								Total
Component	Prior	FY 17	FY	FY	FY	FY	FY	
PA&ED								0
PS&E								0
R/W								0
CON		79,718						79,718
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	0	79,718	0	0	0	0	0	79,718

Funding Source: TDA								Total
Component	Prior	FY 17	FY	FY	FY	FY	FY	
PA&ED								0
PS&E								0
R/W								0
CON		20,282						20,282
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	0	20,282	0	0	0	0	0	20,282

Funding Source:								Total
Component	Prior	FY 17	FY	FY	FY	FY	FY	
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	0	0	0	0	0	0	0	0

Funding Source:								Total
Component	Prior	FY 17	FY	FY	FY	FY	FY	
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	0	0	0	0	0	0	0	0

## Low Carbon Transit Operations Program TOTAL PROJECT COST AND FUNDING PLAN

Funding Source:								
Component	Prior	FY 17	FY	FY	FY	FY	FY	Total
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Funding Source:								
Component	Prior	FY 17	FY	FY	FY	FY	FY	Total
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Funding Source:								
Component	Prior	FY 17	FY	FY	FY	FY	FY	Total
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Funding Source:								
Component	Prior	FY 17	FY	FY	FY	FY	FY	Total
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Funding Source:								
Component	Prior	FY 17	FY	FY	FY	FY	FY	Total
PA&ED								0
PS&E								0
R/W								0
CON								0
Veh/Equip Purchase								0
Operations/Other								0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY  
AUTHORIZING THE EXECUTION OF THE LOW CARBON TRANSIT  
OPERATIONS PROGRAM (LCTOP) PROJECT:  
SOLAR PANEL INSTALLATION AT UNION LANDING TRANSIT CENTER  
IN THE AMOUNT OF \$79,718

**WHEREAS**, the City of Union City is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

**WHEREAS**, the City of Union City wishes to implement the LCTOP project listed above,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Union City that the fund recipient agrees to comply with all conditions and requirements set forth in the applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Union City that it hereby authorizes the submittal of the following project nomination and allocation request to the Department in FY 2015-16 LCTOP funds:

*Project Name: Solar Panels for Union Landing Transit Center*

*Amount of LCTOP funds requested: \$79,718*

*Short description of project: Install solar panels and energy storage units at the Union Landing Transit Center to remove its operational electricity demand from the grid and demonstrate a commitment to renewable energy.*

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY  
AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND  
ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON  
TRANSIT OPERATIONS PROGRAM (LCTOP)

**WHEREAS**, the City of Union City is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

**WHEREAS**, the City of Union City wishes to delegate authorization to execute these documents and any amendments thereto to Mintze Cheng, Public Works Director.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Union City that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that Mintze Cheng, Public Works Director, be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

**Low Carbon Transit Operations Program (LCTOP)**  
**AUTHORIZED AGENT**

AS THE City Manager  
(Chief Executive Officer / Director / President / Secretary)

OF THE City of Union City  
(Name of County/City Organization)


I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Rail and Mass Transportation. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

Mintze Cheng – Public Works Director OR  
(Name and Title of Authorized Agent)

Wilson Lee – Transit Manager OR  
(Name and Title of Authorized Agent)

\_\_\_\_\_  
(Name and Title of Authorized Agent)

Antonio E. Acosta City Manager  
(Print Name) (Title)

  
(Signature)

Approved this 15<sup>th</sup> day of February, 20 16

Attachment: Board Resolution approving Authorized Agent



## Low Carbon Transit Operations Program (LCTOP) CERTIFICATIONS AND ASSURANCES

**Project Sponsor:** City of Union City

**Agency Name:** Union City Transit

**Effective Date of this Document:** February 1, 2016

The California Department of Transportation (Department) has adopted the following certifications and assurances for the Low Carbon Transit Operations Program. As a condition of the receipt of LCTOP funds, project lead must comply with these terms and conditions.

### A. General

- (1) The project lead agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
- (2) The project lead must submit to the Department a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

### B. Project Administration

- (1) The project lead certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The project lead assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
- (2) The project lead certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
- (3) The project lead certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
- (4) The project lead certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
- (5) The project lead certifies that they will notify the Department of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
- (6) The project lead must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
- (7) Any interest the project lead earns on LCTOP funds must be used only on approved LCTOP projects.
- (8) The project lead must notify the Department of any changes to the approved project with a Corrective Action Plan (CAP).
- (9) Under extraordinary circumstances, a project lead may terminate a project prior to completion. In the event the project lead terminates a project prior to completion, the project lead must (1) contact the Department in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to

verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.

- (10) Funds must be encumbered and liquidated within the time allowed.

### C. Reporting

- (1) The project lead must submit the following LCTOP reports:
  - a. Semi-Annual Progress Reports by May 15<sup>th</sup> and November 15<sup>th</sup> each year.
  - b. A Final Report within six months of project completion.
  - c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to the Department within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
- (2) Other Reporting Requirements: ARB is developing funding guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with ARB's funding guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

### D. Cost Principles

- (1) The project lead agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The project lead agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
  - a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
  - b. Those parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (3) Any project cost for which the project lead has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 49 CFR, Part 18, are subject to repayment by the project lead to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the project lead to the State. Should the project lead fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the project lead from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

#### E. Record Retention


- (1) The project lead agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the project lead, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the project lead, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the project lead, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the project lead pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the project lead's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the project lead's contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the project lead shall furnish copies thereof if requested.
- (3) The project lead, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

#### F. Special Situations

The Department may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at the Department's discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

BY:

  
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MINTZE CHENG, Public Works Director  
City of Union City